

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. M028		3. EFFECTIVE DATE 11/18/08	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY U. S. Department of Energy DOE-WWDP 10282 Rock Springs Road West Valley, NY 14171-9799		7. ADMINISTERED BY (If other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) West Valley Environmental Services, LLC 10282 Rock Springs Road West Valley, NY 14171-9799			(X)	9A. AMENDMENT OF SOLICITATION NO.
				9B. DATED (SEE ITEM 11)
			X	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC30-07CC30000
				10B. DATED (SEE ITEM 11) July 29, 2007
CODE		FACILITY CODE		

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted;
or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE
PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment
your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this
amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS.
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.


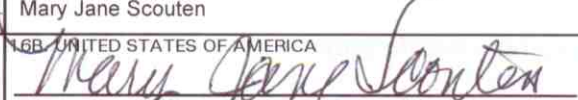
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
X	48 C.F.R. 43.202; Contract DE-AC30-07CC30000 Clause I.82- FAR 52.243-2 Changes - Cost Reimbursement and
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 3 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Page 2

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Albert H. Konetzni, President & Project Manager		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Mary Jane Scouten	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 12/2/08	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 12/3/08

ORIGINAL

- A. The purpose of this Modification (M028) is to revise and update the list of orders and directives applicable to the contract and to correct Modification M021, by removing revised Optional Form 307 references and attachment.
- B. Modification M021, page 2 which references in paragraph B the revision of Optional Form 307 is hereby deleted in its entirety and replaced with the attached M021 Page 2. The replacement OF 307 provided with Modification M021 is also deleted and should be destroyed.
- C. Section J, Attachment J-I, List of Applicable DOE Directives (list B) is hereby deleted and replaced with Section J, Attachment J-1 provided herein.
- D. All other terms and conditions of the contract remain unchanged.

- A. The purpose of this Modification (M021) is to incorporate the revised orders directives List B, update clauses to the latest applicable versions; complete fill-ins left blank at award; incorporate new clauses as directed by DOE HQ; incorporate Contractor and DOE agreed to changes to the J-2 Deliverables attachment; and complete miscellaneous administrative actions.
- B. Section C, Page 4, Contractor Performance is modified in accordance with direction of the Secretary of Energy received in Acquisition Letter AL2007-12 which requires that Contracting Officers shall modify existing M&O and major site and facility management contracts to include a requirement for Contractors to adopt and support the goals and objectives of Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, and DOE's Transformational Energy Action Management (TEAM) initiative, a replacement page is provided herein.
- C. Contract Clause H.22, Incorporation of Representations, Certifications, and Other Statements of Offeror, on page H.26 is hereby revised completing the fill in as shown below; a replacement page is provided herein.

FROM: TBD TO: April 20, 2007

- D. Contract Clause 1.9, FAR 52.203-12 Limitations on Payments to Influence Certain Federal Transactions (Sep 2005) is hereby updated to the most recent version of the clause dated Sep 2007, replacement pages are provided herein.
- E. Clause I.9a FAR 52.203-13 Contractor Code of Business Ethics and Conduct (Dec 2007) is hereby added to the contract by reference as shown in the replacement pages provided herein. Subject clause is mandatory in all contracts exceeding \$5,000,000 with a performance period of more than 120 days. Clause was issued after award was made.
- F. Clause I.9b FAR 52.203-14 Display of Hotline Poster(s) (Dec 2007) is hereby added to the contract by reference as shown in the replacement pages provided herein. Subject clause is mandatory in all contracts exceeding \$5,000,000 when the awarding agency has a fraud hotline poster.

SECTION J – LIST OF DOCUMENTS, EXHIBITS, AND OTHER ATTACHMENTS

ATTACHMENT J-1 – LIST OF APPLICABLE DOE DIRECTIVES (LIST B)

Directive Number	Directive Title
DOE O 110.3A	Conference Management Contractor Requirements Document (CRD)
DOE O 130.1	Budget Formulation Process
DOE O 142.3 Chg 1	Unclassified Foreign Visits and Assignments Program
DOE O 151.1C	Comprehensive Emergency Management System CRD
DOE O 200.1	Information Management Program
DOE M 205.1-3	Telecommunication Security Manual (<i>replaces M 200.1-1</i>)
DOE M 205.1-4	National Security System Manual (<i>Only the DOE of the Under Secretary of Energy Program Cyber Security Plan [PCSP] version dated May 9, 2007, version 1 is applicable.</i>)
DOE O 205.1A	Department of Energy Cyber Security Management Program CRD
DOE N 205.2	Foreign National Access to DOE Cyber Systems
DOE N 205.3	Password Generation, Protection, and Use
DOE N 206.4	Personal Identity Verification
DOE O 210.2	DOE Corporate Operating Experience Program CRD
DOE O 221.1A	Reporting Fraud, Waste, and Abuse to the Office of Inspector General CRD
DOE O 221.2A	Cooperation with the Office of Inspector General CRD
DOE O 225.1A	Accident Investigations CRD
DOE O 226.1A	Implementation of Department of Energy Oversight Policy CRD
DOE M 231.1-1A Chg 2	Environment, Safety, and Health Reporting Manual
DOE M 231.1-2	Occurrence Reporting and Processing of Operations Information
DOE N 234.1	Reporting of Radioactive Sealed Sources
DOE O 243.1	Records Management Program CRD
DOE O 243.2	Vital Records CRD
DOE M 251.1-1B	Department Directives Program Manual CRD
DOE O 251.1B	Department Directives Program CRD
DOE O 350.1 Chg 1	Contractor Human Resources Management Programs CRD
DOE O 412.1A	Work Authorization System
DOE O 413.1A	Management Control Program CRD
DOE M 413.3-1	Project Management for the Acquisition of Capital Assets
DOE O 413.3A	Program and Project Management for the Acquisition of Capital Assets CRD (<i>Replaces O 413.3 Chg 1, Program and Project Management for Acquisition of Capital Assets CRD</i>)
DOE O 414.1C	Quality Assurance CRD
DOE O 420.1B	Facility Safety CRD (<i>Graded Approach*-WVDP has no active safety structures, system, and components (SSC'S)</i>)
DOE O 425.1C	Startup and restart of Nuclear Facilities CRD
DOE O 430.1B	Real Property Asset Management (<i>Graded Approach*- Site and Facilities owned by New York State</i>)
DOE O 430.2A	Department of Energy and Utilities Management CRD (<i>Graded Approach*- Site and Facilities owned by New York State</i>)
DOE O 433.1A	Maintenance Management Program for DOE Nuclear Facilities CRD
DOE O 435.1 Chg 1	Radioactive Waste Management CRD
DOE M 435.1-1 Chg 1	Radioactive Waste Management Manual
DOE O 440.2B Chg 1	Aviation Management and Safety CRD

Directive Number	Directive Title
DOE P 442.1	Differing Professional Opinions on Technical Issues
DOE M 442.1-1	Differing Professional Opinions Manual for Technical Issues Involving Environment, Safety, and Health CRD
DOE O 442.1A	Department of Energy Employee Concerns Program CRD
DOE O 450.1 Chg 1	Environmental Protection Program CRD
DOE P 450.4	Safety Management System Policy
DOE M 450.4-1	Integrated Safety Management System Manual CRD
DOE O 460.1B	Packaging and Transportation Safety CRD
DOE M 460.2-1	Radioactive Material Transportation Practices CRD
DOE O 460.2A	Departmental Materials Transportation and Packaging Management CRD
DOE O 470.2B	Independent Oversight and Performance Assurance Program CRD
DOE M 470.4-1 Chg 1	Safeguards and Security Program Planning and Management CRD
DOE M 470.4-2 Chg 1	Physical Protection CRD
DOE M 470.4-3 Chg 1	Protective Force CRD
DOE M 470.4-4 Chg 1	Information Security CRD
DOE M 470.4-5	Personnel Security CRD
DOE M471.1-1 Chg 1	Identification and Protection of Unclassified Controlled Nuclear Information Manual <i>(Applicability due to ORPS access and use)</i>
DOE O 471.1A	Identification and Protection of Unclassified Controlled Nuclear Information CRD <i>(Applicability due to ORPS access and use)</i>
DOE O 471.3	Identifying and Protecting Official Use Only Information CRD
DOE M 471.3-1	Manual for Identifying and Protecting Official Use Only Information
DOE O 534.1B	Accounting CRD
DOE O 551.1C	Official Foreign Travel CRD <i>(The CRD must be included in all site/facility management contracts that contain the clause at 48 CFR 952.247.70 Foreign Travel)</i>
DOE O 580.1 Chg 1	Department of Energy Personal Property Management Program
DOE O 5400.5 Chg 2	Radiation Protection of the Public and the Environment
DOE O 5480.19 Chg 2	Conduct of Operations Requirements for DOE Facilities
DOE O 5480.20A Chg 1	Personnel Selection, Qualification and Training Requirements for DOE Nuclear Facilities

* GRADED APPROACH – is defined as the process of ensuring that actions used to comply with a requirement are commensurate with (1) the relative importance of safety and safeguards and security, (2) the magnitude of any hazards(s) involved, (3) the life cycle stage of the facility, (4) the programmatic mission of the facility, (5) the particular characteristics of the facility, (6) the relative importance of the radiological and non-radiological hazards, and (7) any other relevant factor.